

### Remarks

The following rejections were before the Board of Patent Appeal and Interferences: claims 1-6, 8-16, 21, 23-28, 30, 32-36, 42-49, 51, 53-59, 63-66, 68, 70 and 74 stand rejected under 35 U.S.C. § 103(a) over Hamlin (U.S. Patent No. 5,574,964) in view of Ellis *et al.* (U.S. Patent Publication No. 2005/0251827); claims 20 and 50 stand rejected under 35 U.S.C. § 103(a) over Hamlin in view of Ellis *et al.* and further in view of Goldstein (U.S. Patent No. 5,410,326); claims 7, 22, 29, 31, 37-41, 67 and 75 stand rejected under 35 U.S.C. § 103(a) over Hamlin in view of Ellis *et al.* and in further view of Edens *et al.* (U.S. Patent No. 6,611,537); claims 17-19, 52 and 60-62 stand rejected under 35 U.S.C. § 103(a) over Hamlin in view of Ellis *et al.* and in further view of Cohen *et al.* (U.S. Patent No. 4,837,798); and claims 69 and 71-73 stand rejected under 35 U.S.C. § 103(a) over Hamlin in view of Ellis *et al.* and in further view of Lewis (U.S. Patent No. 5,835,126).

Applicant respectfully traverses each of the above-noted rejections, and in this discussion set forth below, does not acquiesce to any rejection or averment in the Decision on Appeal dated September 30, 2008, the Examiner's Answer dated August 9, 2007, or the Final Office Action dated July 11, 2006 unless Applicant expressly indicates otherwise. Applicant thus maintains and incorporates the traversals of record as made in the Reply Brief dated October 5, 2007, the Appeal Brief dated May 1, 2007, and the Response to Final Office Action dated September 11, 2006. Applicant accordingly believes that the claims (as previously presented) were allowable over the cited references.

The prior Office Actions and the alleged "findings of fact" in the decision on appeal are plainly wrong in asserting that external services data is stored and distributed (*i.e.*, cited paragraphs 74 and 84 in the Ellis reference make no mention whatsoever of storing external services data, and instead simply pass received information such as a television signal). The only apparent "storage" in Ellis is the storage of signal routing data. Notwithstanding this, Applicant believes that these erroneous interpretations of record are no longer an issue in view of the amended claims and the above discussion.

The amended claims are allowable over the cited references because they fail to disclose, teach or suggest multiple limitations. As is consistent with Applicant's responses of record, the cited references do not configure external services data for specific appliances, do not store the data, and are not responsive to do so based upon user inputs received over a closed-

loop system. For example, none of the cited references (alone or in combination) disclose limitations directed to configuring externally-received media data as claimed (*i.e.*, into a data format usable by a particular device). Referring to claim 16 by way of example, one approach to configuring data includes configuring the data from a packet-based format to a different format that is not packet-based. The Office Actions assertions of record have thus erroneously equated the cited transmission of received data at different signal frequencies as the claimed “configuration” in a manner that is contrary to the instant specification and to well-understood knowledge of those skilled in the art. That is, the claimed configuration is to the data itself (*i.e.*, so that the data is usable at a particular appliance), whereas the cited frequency transmission approaches involves re-transmitting received data over one of many frequencies. As such, the cited frequency-based communication has nothing to do with the claimed configuration.

In addition, none of the references (alone or in combination) disclose limitations directed to a closed-loop system including a media storage arrangement that stores media so that the data may be used at a specific device, or to communicating stored/configured data to a specific device over a closed-loop bussing arrangement in response to remote control inputs received from a user. For instance, the cited combination of the Hamlin and Ellis references does not teach storing data, or configuring and routing of stored data in response to user inputs in the manner as claimed.

Support for the limitations in each of the amended claims may be found in the specification and figures, with particular exemplary embodiments shown in FIG. 2 and discussed at page 7:10-22, and at 14:10-22.


For at least these reasons, and further for those reasons of record (which are fully incorporated herein), Applicant believes that the rejections are no longer applicable and the application is in condition for allowance. A favorable response is requested. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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